



Spring 1999

## *Gary, Hammond, and East Chicago collaborate for the Calumet Empowerment Zone*

On October 8, 1998, Gary, Hammond, and East Chicago submitted a proposal to the U.S. Department of Housing and Urban Development for designation as the Calumet Empowerment Zone. The plan received support from state and local representatives. Governor Frank O'Bannon observed the proposal, "identifies and recognizes the importance of revitalizing our industrial urban areas. These strategies are aimed at addressing job creation, environmental enhancement, safe neighborhoods, business expansion and retention, and a stable and viable economy for Northwest Indiana."

Senator Richard Lugar also voiced support for the Calumet Empowerment Zone. He commended Gary, Hammond, and East Chicago for "careful review of the needs of the three cities including an identification of long-term strategies and community-based solutions that are best suited to help create economic opportunity, attract new business investment and improve the quality of life for Northwest Indiana residents."

The Calumet Empowerment Zone will receive \$10 million annually over ten years from the federal government to implement its strategic plan. In addition, the cities are eligible for \$130 million in loan bonds and tax incentive packages. Local businesses have also pledged their financial support of the Calumet Empowerment Zone. Local banks, businesses, and universities will provide \$814 million for training, development, and other assistance to implement the strategic plan. Federal tax incentive programs through the Empowerment Zone Program will be combined with Indiana investment and employment tax credits and local incentives to employ Zone residents, foster entrepreneurship and business development, support investment at de-

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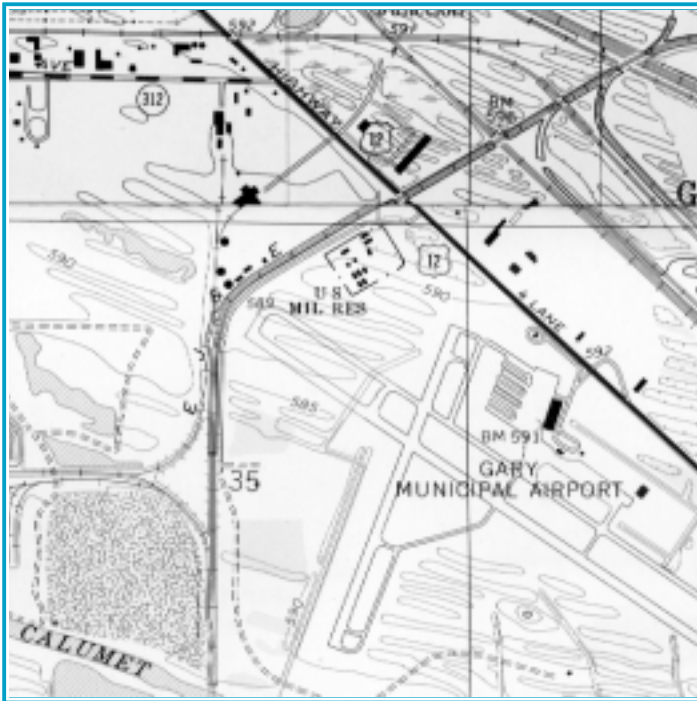


East Chicago Indiana Harbor/Frick Site

developable and brownfields sites, market business incentives, and incorporate community participation.

system for “at-risk” children and youth.

- Expand day care facilities.
- Expand transit access to employment centers.



Gary Airport Development Zone.

The strategic plan sets a 1,000-day implementation agenda over the next three years. It seeks to accomplish ten key strategies:

- Institute a regional business retention and expansion collaborative.
- Create developable sites to attract industry.
- Provide an unparalleled system of workforce development and placement.
- Eliminate racial and other discrimination from hiring practices.
- Provide a comprehensive support

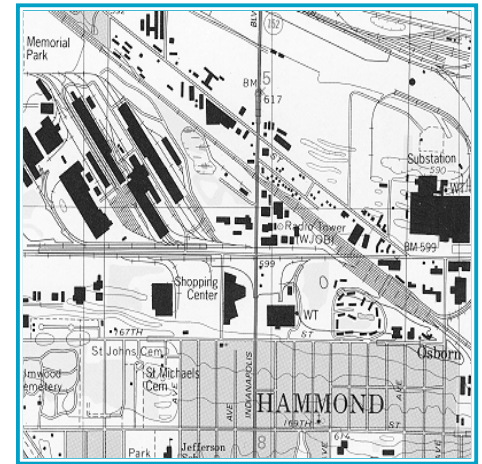
- Impact the housing market through the focused development of 450 homes.
- Ensure safe neighborhoods.
- Link areas within the Empowerment Zone through reclamation of the Calumet River Corridor and wetlands.

These strategies will be implemented through a three-tiered governance structure. The Mayors of Gary, Hammond, and East Chicago form an Executive Committee.

This committee will provide guidance and propose the budget. Representatives of the community, business and government will act as a coordinating council that approves annual implementation plans. In addition, implementing agents will establish and monitor individual projects.

The Calumet Empowerment Zone strategic plan was created by community members and local government agencies. The Grand Cal Task Force, a local non-profit organization that promotes the restoration of the Grand Calumet River, initiated a Vision Project in 1986. The Grand Calumet River/Indiana

Harbor Ship Canal Vision Project is an effort involving citizens, industry, environmental groups, and government agencies that seek to develop a plan for a corridor that follows the river and ship canal. Project director, Bowden Quinn, sees the Vision Project’s efforts to restore and enhance the river corridor as a unifying project throughout the Calumet Empowerment Zone. When asked how the Calumet Empowerment Zone might affect the



Hammond Empowerment Zone

river, Quinn said, “My personal vision for the river is a green corridor that protects natural areas and provides recreational opportunities. The corridor can form a backyard for revitalized residential neighborhoods and industrial areas in which residents can walk or bike to their business and picnic during lunch.”

Allen Kress, a planner with the Hammond Department of Planning said, “He has already seen increased activity for Hammond since the empowerment zone designation. The major vision of the empowerment zone application is job creation. The goal of the plan is to create 1,000 jobs every year for ten years.” In addition to the Gibson Rail Yards redevelopment, Kress said, “He expects to see improvements for Hammond in job opportunity and training, social services, private sector investment, and the environment. Our goals include improving the quality of the natural environment and reclamation of the Grand Calumet River corridor.”



The three cities established priorities for redevelopment projects. Gary identified the Airport Development Zone as its priority. Hammond identified the SCM Metals site and the Gibson Rail Yards area as a priority redevelopment zone. East Chicago selected the U.S. Gypsum site and the 40-acre Indiana Harbor/Frick site as a priority redevelopment zone.

### *“Synthesis” of issues from 1995 workgroup process goes online*

In 1995, the Lake Michigan Coastal Coordination Program held a public workgroup process to identify issues, and possible responses to those issues, for Northwest Indiana. In 1996, each of 865 suggestions made by the workgroup participants were researched and annotated. An extensive new online document now brings together the workgroup suggestions and responsive actions that are being or could be pursued.

“A *Synthesis of Major Topics in the Lake Michigan Coastal Area*” is arranged by chapter: (1) Lake Michigan and Navigable Tributaries; (2) Coastal Dynamics; (3) Water Quality; (4) Water Quantity; (5) Wetlands and Drainage; (6) Natural Areas and Native and Exotic Species; (7) Recreation and Access; (8) Economic Development; (9) Pollution Prevention, Recycling, Reuse, and Waste Management; (10) Air Quality; (11) Property Rights; (12) Environmental Quality Assessments; (13) Governmental Coordination and Streamlining; (14) Coastal Zone Management; and, (15) Coastal Coordination Program.

Each chapter begins with an historical perspective. Existing regulatory and programmatic frameworks are outlined. Research efforts by universities and the private sector are also reviewed. Emphasis is placed upon activities currently underway in Northwest Indiana. In addition, several chapters provide models from other regions where similar concerns are addressed.

The *Synthesis* is intended as a dynamic effort. To be useful as an information source, frequent updates are planned. Readers are also encouraged to share information on new activities or to suggest additions or corrections to reports already included. The *Synthesis* can be found at the following website: [http://www.state.in.us/nrc\\_dnr/lakemichigan/](http://www.state.in.us/nrc_dnr/lakemichigan/)

### *Demise of the Harbor Maintenance Tax*

Following is the first of a two-part series on funding for commercial harbor maintenance. This article reports on the demise of the Harbor Maintenance Tax and an initial effort by the Clinton Administration to replace the tax. The second article will look at the need for harbor dredging, particularly along the Indiana shoreline with water levels on Lake Michigan dropping. The second article will also overview what proposals are pending to fund dredging needs.

In the 1980s, the US Congress sought a funding mechanism for port and harbor maintenance. After years of debate, Congress established a 0.04% ad valorem tax, known as the “Harbor Maintenance Tax,” to be collected as a duty on imports and exports.

Article 9, Section 1 of the US Constitution prohibits any “tax or duty” from being “laid on articles exported from any State.” The provision was adopted in 1787 to address concerns by the exporting rural South that it would suffer taxation from the industrial North seeking to deflate the value of raw materials. Cheaper raw materials could be turned into greater profits for Northern factories.

Congress was, of course, aware of the constitutional prohibition on the taxation of exports when the Harbor Maintenance Tax was enacted in 1986. Yet judicial interpretations in the 20th Century were generally sympathetic to legislation supportive of the Commerce Clause, and the Harbor Maintenance Tax was written in that spirit.

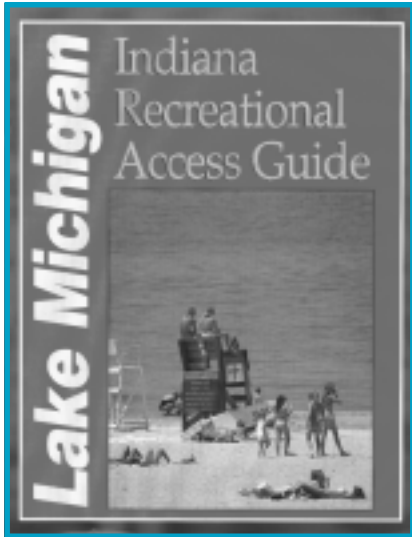
At first, the Harbor Maintenance Tax escaped judicial scrutiny. Funds were raised and harbors were improved. In 1990, however, Congress tripled the tax. By 1993, a surplus of over \$450 million had developed. In theory, the surplus was placed in a “trust fund,” but in practice the fund was being applied to reduce the national deficit. As the surplus grew, suits were filed in the Court of International Trade in New York City. By 1995, with over 700 claims pending, the Court of International Trade chose United States Shoe Corporation as the nominal plaintiff in a test case. The Court of International Trade found the Harbor Maintenance Tax unconstitutional. The Federal Circuit Court in Washington affirmed the decision.

In March 1998, the US Supreme Court unanimously affirmed the lower court decisions. The Supreme Court acknowledged Congress could require fair compensation for government services. Yet a tax assessed ad valorem on exports, with no correlation to harbor use or maintenance, must be struck down. Expansive interpretations of governmental authority under the Commerce Clause could not, the Court ruled, be used to negate the explicit prohibitions on export taxes set forth in the Constitution.

In response to the Supreme Court’s decision, the Clinton Administration floated a proposal last August to impose a new tax on vessel operators. The new tax would be dependant on the size and type of vessel operated. The proposal has not generally been well received. As stated in March 1999 by the Maritime Trades Department of the AFL-CIO, the Administration “delayed sending its hastily crafted proposal to the 105th Congress because of the intense and uniform opposition from ports, shippers, vessel operators and labor.”

## *Lake Michigan Recreational Access Guide available*

The Lake Michigan Coastal Coordination Program announces publication of the LAKE MICHIGAN INDIANA RECREATIONAL ACCESS GUIDE. The 44-page full-color GUIDE locates recreational sites separately categorized as beaches, camping or trailer parks, fishing and boating ac-



cess areas, marinas, and parks larger than ten acres. Tables are included for Porter, and LaPorte Counties that name major facilities, provide telephone contacts, and outline services.

Development of the GUIDE was a cooperative venture. During a 1995 open workgroup process supported by citizen volunteers in Northwest Indiana, citizens expressed a need for better information on lawful access to the state's Lake Michigan shoreline. Later that year, the Lake Michigan Marina Development Commission urged the DNR to "develop and distribute a boating guide to the Lake

Michigan shoreline for boat operators and the general public." One purpose was to provide improved information concerning what access opportunities exist along Lake Michigan.

In 1996, DNR's Division of Outdoor Recreation conducted a focus group study and conducted user surveys to gauge opinions concerning the quantity and quality of access opportunities. Information derived from this study was central to the development of the GUIDE and is also overviewed in the publication. The GUIDE was funded in part by a Coastal Zone Management grant through the National Oceanic and Atmospheric Administration and in part by a Federal Aid to Sport Fish Restoration Program grant through the US Fish and Wildlife Service.

The GUIDE is available from DNR's regional office located at 100 West Water Street, Michigan City. This office is just west of Franklin Street and immediately south of the Franklin Street drawbridge over Trail Creek. The Guide is also available online in an electronic version (accessible through Acrobat Reader) at: <http://www.state.in.us/dnr/lakemich/pdf/access.pdf> For more information or to obtain a copy, call (219) 874-8316 or send your request by email to [coastal@dnr.state.in.us](mailto:coastal@dnr.state.in.us)

## *Port of Indiana fishing access restored*

The storm that ripped Indiana's Lake Michigan coastline in March 1997 did considerable damage to the DNR Public Fishing Access Facility in the Port of Indiana. See, *Early March Storms Hit Lake Michigan Shoreline*, SHORELINES (Summer 1998). Repairs to the access facility and to adjacent commercial shipping wharves temporarily closed most of the site to fishing.

The Port of Indiana provided new restroom facilities, handicapped accessible fishing, and improved parking. With the completion of repairs, the site is now reopened to shore fishing.



**Construction repairs in progress  
(September 1998)**



**New restrooms, handicapped  
accessible fishing, and parking**



**Sport fishermen and a successful catch  
(March 1999)**



## Northwest Indiana's "Dirty Dozen"

On September 19, 1998, the Grand Cal Task Force hosted the Great Lakes Beach Sweep for Northwest Indiana. Citizens participated in the event and were provided with bags, gloves, pencils, and data sheets. The volunteers cleaned approximately ten miles of beach and collected over one ton of debris.

See Table 1.

The Great Lakes Beach Sweep is part of the International Coastal Cleanup (ICC) organized by the Center for Marine Conservation (CMC), a Washington, DC based environmental organization. This one-day annual cleanup, every third Saturday in September, was launched in 1988 to cleanup and protect the world's waters and coastlines. According to Gayle Tokarz, Administrative Director, Grand Cal Task Force, "[we] coordinate this event not just to give the beaches a one day cleaning, but to help make area residents more aware of how litter washes up daily on our beaches."

Beach (distance)	# of Volunteers	Total Weight (lb)
Jeros Park (½ mi)	8	105
Hammond Marina (½ mi)	12	500
Whihala Beach (2 mi)	80	1200
West Beach (1 mi)	3	45
Miller Beach (1 mi)	28	175
Ogden Dunes (1 mi)	17	56
Indiana Dunes S.P. (4 mi)	100	100
Michigan City Beach (Washington Park)	120	150
<b>TOTAL</b>	<b>398</b>	<b>2,301</b>

Table 1. 1998 Beach Sweep Statistics  
\*1997 Results: 367 volunteers; 8,052 pounds,  
24.0 miles

The CMC's annual Cleanup has grown into the world's largest volunteer effort to collect data on the marine environment; on land and underwater. Every year the cleanup takes place in the United States, its territories, and 90 other countries. According to the CMC, the Cleanup is above all a massive campaign of public education and action, the goal of which is to trace the marine pollution problem to its source, and work toward prevention. Worldwide 342,026 volunteers removed 6,250,603 pounds of trash from 9,022 miles of shoreline both above and below the waters. In the United States on land and underwater 175,006 volunteers picked up more than

ITEMS COLLECTED	QUANTITY
Cigarette butts	8,101
Shot gun wads	3,330
Pieces of plastic	1,242
Straws	781
Pieces of foamed plastic	768
Bottles caps and lids	748
Pieces of glass	689
Metal beverage cans	686
Food and bag/wrappers	659
Glass beverage bottles	526
Beverage bottles	522
Pieces of paper	481
<b>TOTAL</b>	<b>18,533</b>
<b>GRAND TOTAL OF ITEMS COLLECTED</b>	<b>25,797</b>

Table 2. Indiana's Dirty Dozen

3,558,010 pounds of trash from 7,093 miles of US shorelines at 3,114 sites.

CMC President Roger E. McManus said, "the main source of the bottles, cans, cigarette butts, balloons, and fishing line on the world's beaches and waterways is not fishermen, or merchant and cruise ships, or industrial activity. It's you and I, improperly discarding our trash. Indi-

viduals are a large part of the problem, but through the [ICC], individuals also become the solution."

Indiana volunteers tabulated the trash they found on specialized CMC data cards, which list 81 possible debris items in eight major categories (plastic, foamed plastic, glass, rubber, paper, metal, wood, and cloth). The data card represents a comprehensive listing of major types of debris found worldwide. Each year the CMC publishes the findings of each state's cleanup in the INTERNATIONAL COASTAL CLEANUP RESULTS, and lists the Cleanup's top twelve most common items found, or "The Dirty Dozen." Indiana's 1998 "Dirty Dozen" is listed in Table 2. The most peculiar piece of debris found in the Indiana cleanup was a large piece of car.

The *Dirty Dozen* consists almost entirely of consumable items used every day by everyday citizens, either in their homes or in recreational activities, it represents the most pervasive solid pollution problem—indiscriminate litter. According to the CMC, comparing the *Dirty Dozen* in each country confirms that, by and large, the same items that plague beaches in California [and Indiana] show up in Bahrain and New Zealand and Argentina—items that can all be easily recycled or properly disposed.

The next International Coastal Cleanup is set for Saturday, September 18, 1999, from 9:00 a.m. to 12 Noon. According to Tokarz, "The sweep is done on the same day at the same time internationally, giving the participants a sense of a universal connection -- we are all a small part of a big picture, each and every one of us does make a difference." For more information, please contact Gayle Tokarz, Grand Cal Task Force, at 219/473-4246, or by E-mail [gctf@igc.org](mailto:gctf@igc.org).



## *Carlson Oxbow Park dedicated in Hammond*

Dedicated in October 1998, the George W. Carlson Oxbow Park is located in Hammond along an oxbow of the Little Calumet River. Tires and trash



**Boardwalk through Carlson Oxbow Park**

were once dumped in this 85-acre woods and wetlands between the Little Calumet River and the Borman Expressway, just east of Kennedy Avenue. The debris has



**Little Calumet River Oxbow**

been removed, and a new 2,000 foot-long boardwalk now winds through the park.

According to Hammond Mayor Duane Dedelow, "This park fits in well with Hammond's long-range community development plans. The boardwalk allows our citizens to enjoy nature while at the same time minimizes human encroachment on the wetland areas. George Carlson and everyone else involved with this project should be commended."

Curtis Vosti, Lake County Parks and Recreation Administrator, agrees. "George was involved with the initial land

purchase and has worked toward making this park happen for many years. I consider him our unofficial construction manager." He said the park should be considered Carlson's "legacy to the City of Hammond."

The park contains 70-foot tall cottonwoods, as well as willows, dogwoods, maples, and a variety of shrubs and vines. Herbaceous plants include green-headed coneflower, daisy fleabane, black-eyed susan, and primrose. There have also been plantings of native species of flowering plants and the placement of informational placards.

The boardwalk and asphalt trails provide handicapped accessibility through the Hammond city park. A boat launch and fishing pier support use of the Little Calumet River. Hammond contributed \$300,000 toward park development, with the Little Calumet River Basin Commission and the Army Corps of Engineers contributing \$150,000 each.

To reach Carlson Oxbow Park, take Kennedy Avenue to the stoplight just south of the I 80-94 interchange. Turn east, then turn onto the frontage road (179th Street). The road parallels the Borman Expressway. Following 179th Street to the Oxbow parking lot.

## *Seidner Dune and Swale Nature Preserve dedicated*



**Oak Savannah remnant @  
Seidner Dune and Swale Preserves**

Last December, the Natural Resources Commission dedicated the Seidner Dune and Swale Nature Preserve

in Lake county. The 42-acre nature preserve contains three distinct ridges and swales of the rare "dune and swale" (habitat). The ridge and swale topography is only found in Indiana at the southern tip of Lake Michigan. Formerly there were about 10,000 acres of dune and swale habitat. Today, less than 1,000 acres remain, and these are in scattered parcels.

Associated with the distinct geological feature are areas of sand prairie, sand savanna, and wetlands. Included is marshy ground along the Grand Calumet River. At least 150 species of plants are known from the site. Waterfowl include ducks, grebes, and herons. A motorist westbound on the Indiana Toll Road might "catch a glimpse" of the nature preserve about two miles past the intersection of Cline Ave (SR 912).

Funding was provided by the Shirely Heinze Environmental Fund and the Indiana Heritage Trust Fund, a trust which purchases and protects sensitive natural areas for parks, wetlands, forests, recreation, wildlife habitats, and nature preserves. The Shirley Heinze Environmental Fund was endowed in 1981 as a charitable trust devoted to the preservation and protection of the Indiana Dunes. The original endowment was donated by Robert and Bette Lou Seidner as a memorial to their late friend, Dr. Shirley Heinze. <http://www.state.in.us/dnr/heritage/index.html>

## *New regulations to govern waste discharge*

In 1996, Section 312 of the Clean Water Act was amended to provide the Department of Defense and the EPA with authority to jointly establish Uniform National Discharge Standards (UNDS) for incidental liquid discharges from vessels of the US Armed Forces. Previously, Section 312 addressed only the regulation of sewage. UNDS now extends the principle of marine sanitation devices-devices used to control or process sewage-to a new class of vessel pollution control devices called a "marine pollution control device" (or "MPCD").

An MPCD is any equipment or management practice designed to treat, retain, or control discharges incidental to the normal operation of an Armed Forces vessel.

The 1996 legislation was designed to establish consistent effluent standards to enhance environmental protection and provide the Armed Forces with mission-required operational flexibility. The legislative mandate is to complete rulemakings by February 10, 2001. The US Navy is the lead Department of Defense agency for the establishment of UNDS.

UNDS applies to all the Indiana waters of Lake Michigan as well as its navigable tributaries. The standards will govern Coast Guard vessels and those of the other Armed Forces, but they will not, for example, apply to Army Corps of Engineers civil works vessels (such as dredges). Similarly, the regulations do not apply to state or private vessels. The UNDS legislation requires that once final regulations are promulgated, those regulations will preempt the authority of Indiana and other states to regulate incidental discharges from vessels of the Armed Forces.

A preliminary phase of rulemaking was to determine which discharges warrant regulatory control. Technical analyses were developed and published for each of the numerous types of discharges considered. Examples of discharges found to warrant regulation include ballast water, deck runoff, small boat engine wet exhaust, and graywater. Graywater is wastewater generated from showers, baths, and galleys. On vessels of the Armed Forces, drainage from laundry, interior deck drains, lavatory sinks, and shop sinks are often collected with graywater. Examples of discharges found not to warrant regulation include boiler blowout and air conditioning condensate.

On August 25, 1998, proposed Uniform National Discharge Standards were published in the Federal Register. The proposed regulations would be codi-

fied at 40 CFR 1700 and would detail the types of discharges to be controlled. The proposal also addresses a mechanism by which a state can petition to review whether a particular activity should be regulated, as well as a mechanism to establish a no-discharge zone. For more information, see the UNDS homepage at <http://206.5.146.100/n45/doc/unds/unds.html>

### *Lake Michigan brown trout catch tops state record*

Joe Hankins of Martinsville, Indiana set a new state record with the Porter County catch of a 23 pound, 33 inch brown trout. Ben Krenkel of Chicago Heights, Illinois set the previous record, a 22 pound 11 ounce trout, in 1993. The record brown trout from Lake Superior-nearly 30 pounds-was taken in 1971.



Hankins' hooked his record fish March 31, just off the Port of Indiana shoreline. The record brown took a fluorescent orange Rapala trolled on a flat line nearly 100 yards behind his boat. This was only the second year that Hankins had fished Lake Michigan from his own boat.

A fin clip identified the trout as a fish stocked by the Wisconsin Department of Natural Resources. Wisconsin now stocks about 1.5 million brown trout in Lake Michigan each year, with lesser numbers stocked by Michigan, Illinois, and Indiana.

Brown trout are native to Europe. They prefer water temperatures between 55°F and 65°F, and are typically found in near shore waters. They tolerate warmer water than other trout species, which has made them a worthy candidate for introduction to upper Midwest waters. They were first introduced into Michigan in the 1880s. Following the success of these introductions, natural resource agencies throughout North America began efforts to stock these fish into suitable habitats.

Smaller brown trout possess distinct markings and coloration that set them apart from other Midwest fish. The color of their sides varies from silver, to yellow, to golden brown. A series of red dots, frequently enclosed in bluish halos, occurs along the midline of these fish. Brown trout are also unique in that they are able to change their color quite rapidly as a means of concealment. They are just plain hard to spot both by predators and fishermen because of their natural camouflage.

The color changes mentioned refer to changes in the background color of the trout's skin—they can't change their spots. According to Randy Lang, a Fisheries Staff Specialist from the Indiana Department of Natural Resources, Division of Fish and Wildlife, "Anglers frequently admire the appearance of these fish, but more commonly express admiration for their wariness and the skill required to catch them." This wary fish can be taken more readily in twilight hours or at night. Anglers are the adult brown's chief predator.

Smaller brown trout (up to about twelve inches) are called "drift feeders." They feed primarily on insects and other food items drifting in the current. They typically hold a stationary feeding position and move only to intercept food items in adjacent and faster currents to the side or overhead. Larger brown trout (which grow beyond twelve inches) start to feed on larger items such as terrestrial and aquatic insects, worms, crayfish, baitfish, and smaller fish.

Brown trout have adjusted well to life in Lake Michigan. They spawn in late autumn, sometimes on rocky reefs along shore though they generally prefer the gravelly headwaters of streams. They grow rapidly and may live to an age of six years and reach weights of eight to ten pounds. Some may reach 30 pounds in Lake Michigan-just ask Joe Hankins!

*Links related to other Coastal Pages*

**Coastal Services Center**

<http://www.csc.noaa.gov/>

**Coastal States Organization**

<http://www.sso.org/cso/>

**Council of Great Lakes Governors**

<http://www.cglg.org/index.html>

**Great Lakes Beaches**

<http://www.great-lakes.net/places/beaches.html>

**Great Lakes Commission**

<http://www.glc.org/>

**U.S. EPA, Great Lakes National Program Office**

<http://www.epa.gov/glnpo/>

**Illinois-Indiana Sea Grant Program**

<http://ag.ansc.purdue.edu/il-in-sg/home.htm>

**Michigan Coastal Program**

<http://www.deq.state.mi.us/ogl/>

**Minnesota's Lake Superior Coastal Program**

<http://wave.nos.noaa.gov/czm/mnczm/>

**Northeast Midwest Institute**

<http://www.nemw.org/>

**Office of Coastal and Ocean Resources**

<http://www.nos.noaa.gov/ocrm/>

More links found at:

<http://www.state.in.us/dnr/lakemich/links.htm>



The Lake Michigan Coastal Coordination Program is an effort by the State of Indiana to improve communications and cooperation among the agencies who participate in activities in the Lake Michigan coastal region. See <http://www.dnr.state.in.us/lakemich/index.htm>

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